

# House Study Bill 80

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
PUBLIC SAFETY BILL BY  
CHAIRPERSON BAUDLER)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the manufacture, delivery, possession with the  
2 intent to manufacture or deliver, or conspiring to  
3 manufacture, deliver, or possess with the intent to  
4 manufacture or deliver flunitrazepam, and providing a penalty.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
6 TLSB 2076HC 80  
7 jm/cl/14

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1 1 Section 1. Section 124.401, subsection 1, paragraph d,  
1 2 Code 2003, is amended to read as follows:  
1 3 d. Violation of this subsection, with respect to any other  
1 4 controlled substances, counterfeit substances, or simulated  
1 5 controlled substances classified in schedule IV or V is an  
1 6 aggravated misdemeanor. However, violation of this subsection  
1 7 involving fifty kilograms or less of marijuana or involving  
1 8 flunitrazepam is a class "D" felony.

1 9 EXPLANATION

1 10 This bill relates to the manufacture, delivery, possession  
1 11 with the intent to manufacture or deliver, or conspiring to  
1 12 manufacture, deliver, or possess with the intent to  
1 13 manufacture or deliver flunitrazepam which is commonly  
1 14 referred to as the "date rape" drug.

1 15 The bill increases the penalty of the criminal offenses  
1 16 related to flunitrazepam listed in the bill from an aggravated  
1 17 misdemeanor to a class "D" felony for manufacturing,  
1 18 delivering, possessing with the intent to manufacture or  
1 19 deliver, or conspiring to manufacture, deliver, or possess  
1 20 with the intent to manufacture or deliver flunitrazepam.

1 21 An aggravated misdemeanor is punishable by confinement for  
1 22 no more than two years and a fine of at least \$500 but not  
1 23 more than \$5,000. A class "D" felony is punishable by  
1 24 confinement for no more than five years and a fine of at least  
1 25 \$750 but not more than \$7,500.

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